

Nicoletti Hornig & Sweeney

WALL STREET PLAZA
88 PINE STREET
SEVENTH FLOOR
NEW YORK, NY 10005-1801
TELEPHONE 212-220-3830
FACSIMILE 212-220-3780
GENERAL@NICOLETTIHORNIG.COM
WWW.NICOLETTIHORNIG.COM

JOHN A.V. NICOLETTI
MANAGING PARTNER
DIRECT DIAL: 212-220-3837
JNICOLETTI@NICOLETTIHORNIG.COM

August 18, 2023

VIA CM/ECF

The Honorable Sarah L. Cave
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: *In re M/V MSC Flaminia*
Docket No.: 1:12-cv-08892-GBD-SLC (and consolidated actions)
Our File No.: 28000040

Dear Judge Cave:

We represent the defendants Stolt Tank Containers B.V. and Stolt-Nielsen USA, Inc. (hereafter jointly referred to as “Stolt”) and also write on behalf of co-defendant Deltech Corporation (“Deltech”).

We write to request a modification of Your Honor’s original order which requires the parties to submit a joint letter of no more than three pages on or before August 22, 2023.

We request the opportunity to submit a letter solely on behalf of Stolt and Deltech if the parties cannot agree on a joint letter.

Based upon the draft received from plaintiff’s counsel, we cannot agree to their suggested schedule and plan to resolve the outstanding issues. Plaintiff’s course of action is protracted and may take several months or more for the claimants to submit a proposal to Stolt and Deltech and then more time to allow the defendants to calculate and pay a majority of the claims.

Plaintiff’s draft proposal also seeks an adjournment of the upcoming telephone conference with Your Honor for a several month period. We object to any such adjournment.

August 18, 2023

Page 2

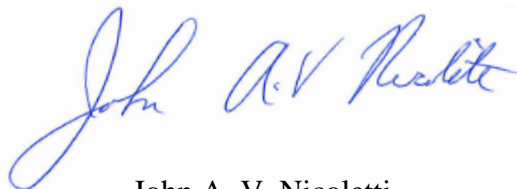
Stolt and Deltech wish to expedite the process because the interest on the Arbitration Award could possibly exceed \$500,000.00 per month.

We thank the Court for its time and consideration on this request.

Respectfully submitted,

NICOLETTI HORNIG & SWEENEY

By:



John A. V. Nicoletti

JAVN/mm

cc (via ECF):

All Counsel of Record